from frequent conversations with Mr. and Mrs. Joyce and her daughter Sarah Joyce upon the subject who never complained of any advantage or wrong taken of or done to them by said complainant except a complaint that he was foreclosing the mortgage before the time limited for the payment of the principal sum (7 years from date) had elapsed - complainant communicated with this deponent upon the subject of the mortgage before it was taken and wished deponent to join him in making the loan and take the mortgage but deponent declined doing so as he had not the money to spare: such a thing as an advantage being taken of Mr. and Mrs. Joyce or of Severson and his wife never entered into deponents contemplation nor does he think the parties themselves viewed it originally in that light but were taught so to consider and represent it by artful advice and perversion of facts - This deponent was heretofore examined as a witness in the Chancery suit instituted by Joyce and others against Taylor, but his knowledge as to these matters was never asked nor did he think it necessary to make it known supposing the object of examining him was to prove some other collateral facts - Deponent never did doubt for an instant that the said complainant would get a decree for the repayment of his loan immediately and thought the delay in the matter was by some plea or proceeding not uncommon he believes in Chancery matters - From all deponent has heard and knows of the parties and of their transactions (and he believes he knows as much of not more about them than any one else) he is perfectly satisfied that the complainant has been grievously injured by the results of the case in the Court of Appeals as he is sure that tribunal never could have denied him relief if the whole of the facts had been before them (unless upon some technical point perhaps) and deponent is induced to make this statement to evince the sincerity of his assertions of complainants integrity and fair dealing throughout the whole transactions with these parties and he makes this statement with the sole object of doing justice so far as he can, to an honest but greatly injured man -

Henry W. Gray a witness of lawful age was then produced and sworn on the part of complainant and answers to the interrogatories for that purpose filed as follows:

1st. To the first interrogatory this deponent saith - That he knows the parties, has known the complainant many years -

2d. To the second interrogatory this deponent saith - That whilst he was a justice of the peace he had frequent conversations with Elisha Joyce and said Joyce in this deponents presence when speaking on the subject of the dispute between complainant and himself admitted that he had purchased of complainant and William Sear executors of Isaac Raven deceased a slave or slaves and other property which he sold subsequently at an advance and he also admitted that said complainant had loaned his daughter Sarah, and that she had given said complainant a mortgage to secure the amount purchased by her father, and a sum of money the amount deponent does not now recollect - said complainant put in the possession of this deponent his account current against said estate accompanied by vouchers receipted and this deponent examined them particularly all of which had passed the orphan's Court of Baltimore County, and deponent thinks he never saw accounts more

minutely or correctly kept of a similar kind, and this deponent has always believed that said complainant had acted strictly honest in this transaction and in all others that he ever heard of him and deponent never heard him charged to the contrary by any other persons than the defendants - Commission was then finally closed -

In Testimony whereof I have hereto set my hand and seal this 27th day of May in the year of our Lord one thousand eight hundred and thirty five -

Test. John Hanah, Clk. Jno. Carrere, Jun.r Com.r (Seal)

The execution of this commission appears by certain schedules hereto annexed -

Jno. Carrere, Jun.r Com.r (Seal)

And the said cause thus standing was continued from Term to Term until December Term 1840 of the said Court, at which Term came the complainant aforesaid in the said bill of review by his solicitor Thomas Parkin Scott Esquire and filed in the said cause the following suggestion and motion -

In the case of Elisha Joice and Elizabeth his wife and Stephen Severson and Sarah his wife
vs.
Elijah Taylor -

In Chancery - The defendant in this case suggests to the Court here and gives his Honour the Chancellor to understand and be informed that since the last continuance of this cause Elisha Joice and Sarah Severson two of the said plaintiffs have departed this life - and the said defendant also moves the Court here for an order directing the trial before a jury of the country of the issues of fact involved in this case &c.

T. P. Scott, Defts. Solr.

And the said cause thus standing was continued until the next Term of the said Court to wit, March Term 1841, at which Term came the defendants in the said bill of review by John Johnson Esquire their counsel and filed in the said cause the following petition -

Elijah Taylor
vs.
Elish Joice and others -

In Chancery - To the Honorable Theodorick Bland Chancellor of Maryland - The petition of Elisha Joice and Elizabeth his wife, and Stephen Severson and Sarah his wife respectfully represents that on the twelfth day of June in the year eighteen hundred and thirty four a bill of review was filed against them in this Honorable Court for the purpose of obtaining a revision and reversal of a decree which had been theretofore rendered in favor of these defendants against the said Taylor by the Court of Appeals for the Western shore of Maryland. That your petitioners being summoned appeared to the said bill by counsel, but failing to answer according to the rule of the Court an interlocutory decree and order for an Ex parte commission was obtained by the said complainant on the second day of January in the year eighteen hundred and thirty five, that the commission issued was executed and returned on the twenty ninth day of May of the last mentioned year since when no further proceedings have been had in the cause aforesaid as will appear, upon reference to the bill and proceedings in the said cause to all of which these petitioners refer, as part of this their petition - And these petitioners now pray your Honor to pass an order setting the case down for hearing or such other order, as will bring the same to a speedy termination, and as to your Honour may seem right and according to the course of the Court and they will